

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**William McKinley Marsh and Katie Lee Marsh**

a/k/a William McKinnley Marsh, fdba Mack's

Cleaning, Katie Harrington Marsh, Katie H.

Marsh, Katie L. Katie, Katie Harrington Kelly,

fdba KM Retailing

S.S. Nos.: xxx-xx-0069 and xxx-xx-8563

Mailing Address: 16321 Highway 15/501, Aberdeen, NC 28315-

**Case No. 09-82262**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on December 18, 2009.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: January 8, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtors

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 12/11/09

Lastname-SS#: Marsh-0069

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

## SURRENDER COLLATERAL

Creditor Name	Sch D #	Description of Collateral
Aaron's		Contract
Aaron's		Contract

Creditor Name	Description of Collateral
None	None

## ARREARAGE CLAIMS

## REJECTED SECURED CONTRACTS/LEASES

Creditor Name	Sch D #	Arrearage Amount	(See †)
None			**
			**
			**
			**
			**
None			**
			**
			**
			**

Creditor Name	Description of Collateral
None	None

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
None			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## STD - SECURED DEBTS at FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Capital One	1	\$5,467	6.00	\$55	\$116.38	2005 Chevrolet Cobalt
			6.00			
			6.00			
			6.00			

## STD - SECURED DEBTS at 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Drive Financial	2	\$16,701	6.00	\$57	\$355.52	2004 Mercury Mountaineer
			6.00			
			6.00			
			6.00			

ATTORNEY FEE (Unpaid part)	Amount	
Law Offices of John T. Orcutt, P.C.	\$2,600	
SECURED TAXES	Secured Amt	
IRS Tax Liens		
Real Property Taxes on Retained Realty	\$3,383	
UNSECURED PRIORITY DEBTS	Amount	
IRS Taxes	\$1,325	
State Taxes		
Personal Property Taxes	\$68	
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount **
DMI=	None(\$0)	None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$607** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **12.00** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD (New\_DeSardi) (6/24/09) © John T. Orcutt

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Free

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Charlene Free

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Internal Revenue Service (ED)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Associated Recovery Systems  
Post Office Box 1259  
Oaks, PA 19456

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Badcock Home Furniture & more  
1311 Town & Country Shopping C  
Aberdeen, NC 28315

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Aaron's  
1373 Sand Hill Boulevard  
Aberdeen, NC 28315

Bay Fin  
1 Corporate Drive  
Suite 300  
Wausau, WI 54401

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Absolute Collection Service  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

California Student Aid  
Post Office Box 419032  
Rancho Cordova, CA 95741

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

ACS  
Post Office Box 7051  
Utica, NY 13504-7051

California Student Aid  
3300 Zinfandel Drive  
Rancho Cordova, CA 95670-6043

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

ACT  
Post Office Box 8012  
Canoga Park, CA 91309-8012

Capital One Auto Finance  
3905 Dallas Parkway  
Plano, TX 75093

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Alliance One Receivables  
1160 Centre Point  
Suite 1  
Mendota Heights, MN 55120

Capital One Bank  
Post Office Box 85015  
Richmond, VA 23285-5015

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Allied Interstate  
3000 Corporate Exchange Drive  
5th Floor  
Columbus, OH 43231

Carolina Eye Associates  
2170 Midland Road  
Southern Pines, NC 28387-2927

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Associated Recovery Systems  
Post Office Box 469046  
Escondido, CA 92046-9046

Steven R. Carter, MD  
c/o First Point Collection Resource  
Post Office Box 26140  
Greensboro, NC 27402-6140

Charlotte Radiology  
c/o Stern & Associates  
415 North Edgeworth Street  
Suite 210  
Greensboro, NC 27401

EdFund  
Internal Collections Unit  
Post Office Box 419045  
Rancho Cordova, CA 95741-9045

Hoke County Tax Collector  
Post Office Box 217  
Raeford, NC 28376-0217

College Loan Corporation  
501 Bleeker Street  
Utica, NY 13501-2498

Educaid/Wachovia  
1002 Arthur Drive  
Lynn Haven, FL 32444

HSBC Bank  
Post Office Box 5253  
Carol Stream, IL 60197

Commercial Recovery Systems  
Post Office Box 570909  
Dallas, TX 75357-0909

Eye Surgery Center  
c/o FirstPoint Collection Resources  
Post Office Box 26140  
Greensboro, NC 27402-6140

Internal Revenue Service  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Credit One Bank  
585 South Pilot Street  
Las Vegas, NV 89119

Fifth Third Bank  
One Riverfront Place  
20 NW First Street  
Evansville, IN 47708

JC Penney  
Post Office Box 981402  
El Paso, TX 79998

Doctors Vision Center  
c/o Credit Bureau of Winston-Salem  
Post Office Box 3136  
Winston Salem, NC 27102-3136

First Health of the Carolinas  
Post Office Box 3000  
Pinehurst, NC 28374

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Drive Financial  
PO Box 562088  
Dallas, TX 75247

First Health Richmond Memorial  
c/o First Point Collection Resources  
Post Office Box 26140  
Greensboro, NC 27402-6140

Mitsubishi  
1211 Semorran Boulevard  
Suite 341  
Casselberry, FL 32707

Drive Financial  
PO Box 560284  
Dallas, TX 75356-0284

First Point Collection Resources  
Post Office Box 26140  
Greensboro, NC 27402-6140

Moore County Tax Deptment  
Post Office Box 428  
Carthage, NC 28327-0428

EdFund  
c/o General Revenue  
Post Office Box 6138  
Indianapolis, IN 46206-6138

GE Money Bank  
Bankruptcy Dept.  
Post Office Box 103104  
Roswell, GA 30076-3104

National Student Loan Program  
c/o NCO Financial  
425017 East 7030475 (6806) 029.  
New Berlin, WI 53151

EdFund  
Post Default Services  
Post Office Box 419033  
Rancho Cordova, CA 95741-9033

General Revenue Corporation  
11501 Northlake Drive  
Cincinnati, OH 45249-1643

New World Media  
Post Office Box 8969  
Westbury, NY 11590-8969

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Silvestry Chevrolet  
1609 South Main Street  
Laurinburg, NC 28352

US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

North Carolina Dept of Revenue  
Post Office Box 1168  
Raleigh, NC 27602-1168

Stern and Associates. PA  
415 North Edgeworth Street  
Suite #210  
Greensboro, NC 27401

Wachovia  
Post Office Box 7057  
Utica, NY 13504-7057

North Carolina Employment Security  
Commission  
Post Office Box 26504  
Raleigh, NC 27611-6504

Suncom Wireless  
c/o Platinum  
1245 South Main Street  
Suite 100  
Grapevine, TX 76051

Wachovia Bank  
Mark J. McClelland  
Post Office Box 3099  
Winston Salem, NC 27150

Pinehurst Medical Clinic  
c/o FirstPoint Collection Resources  
Post Office Box 26140  
Greensboro, NC 27402-6140

University of Phoenix  
4615 East Elwood Street  
Phoenix, AZ 85040

Wachovia Bank NA  
Post Office Box 50014  
Roanoke, VA 24040-0014

Portfolio Recovery Associates  
c/o Sessoms and Rogers  
Post Office Box 52508  
Durham, NC 27717

US Attorney's Office  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Wells Fargo  
301 East 58th Street North  
Sioux Falls, SD 57104

Protect America  
c/o Anderson Crenshaw Associates  
12801 North Central Expressway  
Suite 250  
Dallas, TX 75243

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Wells Fargo  
c/o CSA  
3300 Zinfandel Drive  
Rancho Cordova, CA 95670

Regional Adjustment Bureau, Inc.  
Post Office Box 1022  
Wixom, MI 48393-1022

US Department of Education  
Post Office Box 5202  
Greenville, TX 75403-5202

Willcox, McFayden, Fields & Sutl  
112 East Edinborough Avenue  
Raeford, NC 28376

Sandhills Emergency Physicians  
Post Office Box 48305  
Jacksonville, FL 32247-8305

US Department of Education  
Post Office Box 13328  
Richmond, VA 23225-0328

World Omni Financial Corporation  
Post Office Box 991817  
Mobile, AL 36691-1817

Santander  
8585 Stemmons Fwy  
Suite 1100-N  
Dallas, TX 75247

US Department of Education  
Direct Loan Servicing Center  
Post Office Box 5609  
Greenville, TX 75403-5609